

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



October 26, 2005

CSSIN LETTER: 05-14

ALL IV-D DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL BOARDS OF SUPERVISORS

Reason for this Transmittal

- ☐ State Law or Regulation Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Change
- ☐ Clarification requested by One or More Counties
- ☒ Initiated by DCSS

SUBJECT: AB 252 PATERNITY SET ASIDE/VACATE TABLES

This letter is to disseminate data collected as a result of AB 252. Effective January 1, 2005, AB 252 authorized the courts to set aside a voluntary declaration or default judgment of paternity if certain conditions are satisfied. The new law allows the mother, the legally established father, the child, the local child support agencies (LCSAs) and/or any legal representative to request a previously legally established paternity to be set aside/vacated. Based on the results of genetic testing, the court may set aside or vacate the previously established paternity, unless the court denies the request in the best interest of the child. Any previously paid child support cannot be reimbursed, but arrears can be relieved.

CSS Letter 05-15, dated May 19, 2005, transmitted the AB 252 Paternity Set Aside/Vacate Quarterly Report (DCSS 0427) and instructions to the LCSAs. Fifty-one LCSAs prepared and submitted AB 252 reports even if they had no eligible cases. The first two quarterly reports, January – March and April – June 2005, have been received, reviewed and displayed on the 3 tables enclosed. There are more than 350 cases pending at some point in the process. DCSS has received several requests for this data, so we are sharing this information with all LCSAs.

If you have any questions on the AB 252 reporting process or the enclosed tables, please email Helen Faust, at Helen.Faust@dcss.ca.gov or by phone at (916) 464-5809; or Doug Rose at Douglas.Rose@dcss.ca.gov or by phone at (916) 464-4887.

Sincerely,

o/s/ KAREN M. ECHEVERRIA

SANDRA O. POOLE
Deputy Director
Child Support Services Division

Enclosure

AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY SUMMARY
REQUESTS BY INITIATOR
JANUARY - JUNE 2005 QUARTERS

TABLE 1

	Number of Cases	Initiator			
		Mother	Prev Est Father	Child	Legal Rep. LCSA
STATEWIDE	795	8	623	0	7 36
Alameda	14		12		2
Alpine	0				
Amador	2		1		1
Butte	13		12		1
Calaveras	1		1		
Colusa	0				
Contra Costa*					
Del Norte	0				
El Dorado	5		5		
Fresno	50		50		
Glenn	1		1		
Humboldt	7		2		5
Imperial	0				
Inyo	3		3		
Kern	23		19		4
Kings	34	1	28		5
Lake	0				
Lassen	1		1		
Los Angeles	71		63		8
Madera	0				
Marin	0				
Mariposa	1				1
Mendocino	0				
Merced	12		12		
Modoc	0				
Mono	1		1		
Monterey	3		3		
Napa	4	1	3		
Nevada	1		1		
Orange	139	1	131		7
Placer	5		5		
Plumas	2		2		
Riverside	13		13		
Sacramento	49	2	47		
San Benito	7	1	6		
San Bernardino	19		19		
San Diego**	121				
San Francisco	11		11		
San Joaquin	14	1	12		1
San Luis Obispo	7		7		
San Mateo	6		6		
Santa Barbara	1		1		
Santa Clara	47		47		
Santa Cruz	0				
Shasta	12		12		
Sierra	0				
Siskiyou	10		9		1
Solano	13		12		1
Sonoma	5		5		
Stanislaus	23		21		2
Sutter	5		4		1
Tehama	0				
Trinity	0				
Tulare	21	1	20		
Tuolumne	2		2		
Ventura	5		3		2
Yolo	6		6		
Yuba	5		4		1

* No AB 252 report submitted.

** San Diego County only reported the total number of Notice of Motions filed. No other statistics were kept.

Source: AB 252 Paternity Set Aside/Vacate Summary Quarterly Report

AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY SUMMARY
DEFAULT JUDGEMENTS, GENETIC TESTING AND BEST INTEREST HEARINGS
JANUARY - JUNE 2005 QUARTERS

TABLE 2

	Number of Cases	Based on Default		Genetic Testing Ordered		Best Interest Hearing	
		Yes	No	Yes	No	Yes	No
STATEWIDE	795	607	42	520	100	256	7
Alameda	14	14		14		6	
Alpine	0						
Amador	2		2	2		2	
Butte	13	11	2	12		1	
Calaveras	1	1		1		1	
Colusa	0						
Contra Costa*							
Del Norte	0						
El Dorado	5	5		4	1		
Fresno	50	49	1	33	3	14	
Glenn	1		1	1		1	
Humboldt	7	3	2	3	4	5	
Imperial	0						
Inyo	3	3		3			
Kern	23	18	5	15	5	4	
Kings	34	34		33		34	
Lake	0						
Lassen	1	1			1	1	
Los Angeles	71	68	4	61	11	32	
Madera	0						
Marin	0						
Mariposa	1	1		1		1	
Mendocino	0						
Merced	12	12		8	1	3	
Modoc	0						
Mono	1	1					
Monterey	3	3		1			
Napa	4	4		3	1	4	
Nevada	1		1				
Orange	139	123	8	101	31	15	
Placer	5	4	1	4	1	4	
Plumas	2	2		2		1	
Riverside	13	12	1	7	2		
Sacramento	49	47	2	38	8	49	
San Benito	7	6	1	4	2		
San Bernardino	19	19		12	7	19	
San Diego**	121						
San Francisco	11	11		6	2	3	
San Joaquin	14	14		10	3	3	
San Luis Obispo	7	7		7		7	
San Mateo	6	6		3	3	5	
Santa Barbara	1	1		1			
Santa Clara	47	46	1	44	2	4	
Santa Cruz	0						
Shasta	12	10	2	7	3	3	
Sierra	0						
Siskiyou	10	7	3	6	2	10	
Solano	13	13		13			7
Sonoma	5	4	1	4	1	3	
Stanislaus	23	12	1	19	2	12	
Sutter	5	5		4		2	
Tehama	0						
Trinity	0						
Tulare	21	19	1	20	1	5	
Tuolumne	2	2		2			
Ventura	5	1	1	5			
Yolo	6	4	1	4	1	2	
Yuba	5	4		2	2		

* No AB 252 report submitted.

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AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY SUMMARY
RESULTS OF AB 252 REQUESTS
JANUARY - JUNE 2005 QUARTERS
TABLE 3

	Number of Cases	Excluded by DNA		Judgement Set Aside			Arrears Relieved
		Yes	No	Yes -JUD	Yes-POP	No	
STATEWIDE	795	237	161	201	26	30	2,325,865
Alameda	14	6		6			36,483
Alpine	0						
Amador	2	1	1		2		0
Butte	13	1	6	1			38,210
Calaveras	1	1		1			0
Colusa	0						
Contra Costa*							
Del Norte	0						
El Dorado	5		2	1		2	33,639
Fresno	50	16	12	12	1		209,897
Glenn	1		1			1	
Humboldt	7	5		1	4		1,168
Imperial	0						
Inyo	3	2					
Kern	23	3	11	3			0
Kings	34	8	16	6	14		82,088
Lake	0						
Lassen	1		1			1	
Los Angeles	71	35	11	37		2	741,236
Madera	0						
Marin	0						
Mariposa	1	1		1			10,465
Mendocino	0						
Merced	12	3	3	2		2	5,954
Modoc	0						
Mono	1						
Monterey	3	1					
Napa	4	4		2	1		54,836
Nevada	1						
Orange	139	50	25	42		1	157,264
Placer	5	4	1	2	1	1	48,926
Plumas	2	1					
Riverside	13		2			2	
Sacramento	49	25	14	22			302,452
San Benito	7	1	2				
San Bernardino	19	8	4	16		3	143,427
San Diego**	121						
San Francisco	11	6	2	4			54,541
San Joaquin	14	3	3	3			
San Luis Obispo	7	7		7			63,911
San Mateo	6		2			5	0
Santa Barbara	1	1					
Santa Clara	47	6	12	4		2	28,651
Santa Cruz	0						
Shasta	12	7	3	3			12,538
Sierra	0						
Siskiyou	10	4		3	1		54,855
Solano	13	2	5	2		3	0
Sonoma	5	3		1		2	13,929
Stanislaus	23	8	5	7		3	180,034
Sutter	5	2	2	2			222
Tehama	0						
Trinity	0						
Tulare	21	5	12	4			7,585
Tuolumne	2		2				
Ventura	5	3		4	1		13,232
Yolo	6	3	1	2	1		30,322
Yuba	5	1					

* No AB 252 report submitted.

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Source: AB 252 Paternity Set Aside/Vacate Summary Quarterly Report